

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

FABIAN ALBERTO MONTES HENRY,)
)
)
Plaintiff,)
)
)
vs.) NO. CIV-22-0337-HE
)
)
THE GEO GROUP INC.,)
)
)
Defendant.)

ORDER

Plaintiff, a federal prisoner appearing *pro se*, filed a complaint alleging that he was not paid a minimum wage as required by federal and state minimum wage laws and an application to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Suzanne Mitchell for initial proceedings. Judge Mitchell ordered plaintiff to cure deficiencies in his IFP application. Plaintiff did not respond to the order. Judge Mitchell has now issued a Report and Recommendation recommending that plaintiff's complaint be dismissed without prejudice for failure to comply with the court's orders.

The Report advised plaintiff of his right to object to the Report by June 16, 2022. Plaintiff has failed to object to the Report, thereby waiving his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #6]. Plaintiff's application to proceed IFP [Doc. #2] is **DENIED**. This case is **DISMISSED** without prejudice for failure to follow the court's orders.

IT IS SO ORDERED.

Dated this 23rd day of June, 2022.



JOE HEATON
UNITED STATES DISTRICT JUDGE